BREAKING DOWN THE BARRIERS

Report of the Human Resources Secretariat
Employment Systems Review Taskforce

May, 1991

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Ontario

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To: All staff
Human Resources and Management Board Secretariats

The report of the Employment Systems Review Taskforce is the result of a number of months' work undertaken by staff in the Human Resources Secretariat.

The recommendations contained in the report were recently reviewed by our Senior Management Committee which is made up of Division Heads from both the Human Resources and Management Board Secretariats. Our committee takes the report very seriously and looks forward to its implementation.

As the senior member of Senior Management Committee, I will be chairing the Reporting Committee recommended in the report. In keeping with the spirit of the report, staff will be invited to participate in our efforts to properly implement these recommendations.

On behalf of Senior Management Committee, we look forward to working with you on this very important task.

Yours very truly,

Stien K. Lal

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May 13, 1991

MEMORANDUM TO: Senior Management Committee

FROM: James R. Thomas
Chair
Employment Systems Review Taskforce

SUBJECT: **Employment Systems Review Report**

The Human Resources Secretariat's Employment Systems Review Taskforce was established in the fall of 1990. Its mandate was to identify barriers which prevent members of employment equity designated groups from having equal access to employment and full participation in our ministry.

I had the privilege of chairing the Taskforce. On behalf of the Taskforce members, I wish to present our final report to the Senior Management Committee for approval and implementation. The Taskforce is confident that the implementation of the recommendations contained within the report will go a long way towards reducing or eliminating the barriers we identified.

I would like to express my appreciation to the Taskforce members for their hard work and diligence, and to all those who participated in this pilot project. I particularly wish to acknowledge the frankness and candour of those employees of HRS who were part of the interview process.

James R. Thomas

c.c. Taskforce members

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Report of the Human Resources Secretariat
Employment Systems Review Taskforce

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BREAKING DOWN THE BARRIERS

PART A ~ OUR FINDINGS

Last fall, the Human Resources Secretariat (HRS) and the Ministry of Labour agreed to pilot two Employment Systems Reviews (ESR). An ESR identifies barriers to employment opportunities for people from designated employment equity groups -- women, racial minorities, people with disabilities, francophones and native people, by identifying problems with employment systems -- hiring, training, promotion, and the like -- problems that create an uneven playing field for designated group employees.

The HRS pilot was undertaken by a Taskforce comprised of managers and non-managers, representing all the designated groups. (*Taskforce members are listed in Appendix A*).

No one on the Taskforce was an employment equity expert. None of the Taskforce members knew what would come out of the exercise. The Taskforce was given a rather ambitious task: to produce a report that identifies barriers; recommends how to eliminate those barriers; and describes ways of monitoring how successful HRS was in eliminating the barriers.

We've learned a great deal from the exercise. We've learned that there are a lot of reasons why it is difficult in the HRS for designated group members to get ahead - or get hired.

We've learned that figures can be deceiving. In the HRS, the proportion of designated group members is similar to the proportion within Metro Toronto, except for the disabled (*see Table X in Appendix D*). But, on closer inspection, we found that they were clustered in lower paying jobs (*see Table Y in Appendix D*). For example, almost a quarter of our staff are racial minorities as compared to a figure of 20% for the Metro Toronto population. On the surface, that number is encouraging. However, when we looked at the management ranks (*ECP and MCP level 19 and above*), we discovered that racial minorities make up only 5% of the managers. They represent almost 30% of the OAG staff.

We also learned that workforce statistics can sometimes be misleading - especially when they are used to measure very small numbers of people. For example, when attempting to measure the extent to which aboriginal people are represented within HRS (1.3%) as compared to their presence in Metro Toronto (0.9%), incorrect reporting of one employee can produce a wrong conclusion.

In spite of these limitations, the statistics convinced us we were not engaged in an academic exercise. We concluded that the absence of designated group members in higher paying jobs within HRS is evidence of barriers that operate against those employees.

How did we identify the barriers? We followed the draft Employment Systems Review Guide. (*The ESR scope and methodology are described in more detail in Appendices B and C*). We conducted:

- a documentary review of HRS' employment and human resources policies and procedures;
- staff interviews at three levels: 10 people at Level 1 - *Director level and above*; 14 people at Level 2 - *middle management*; and 34 people at Level 3 - *working level people -- those most likely to be affected by policies and practices*;
- a workplace accessibility audit of four buildings in which HRS staff are located (*Frost South, 252 Bloor St. West, 5 Park Home Ave. and 790 Bay St.*).

We found many physical barriers that prevent people with disabilities from having equal access to employment in HRS. We've listed our findings in *Appendix I*, and have made a number of recommendations about how to make our buildings more barrier-free for the disabled.

We didn't find a great deal wrong with our written policies. Indeed, our policies on selection were recently revised by the Workforce Planning & Employment Equity Branch. They set out procedures which, if followed, ensure that designated group members have equal access to jobs and promotions in HRS.

What we did find, mainly through staff interviews, was a working climate within HRS that does not encourage upward mobility for designated group employees; a serious lack of commitment to employment equity within HRS management ranks; and an apparent disregard of policies and practices that would maximize the competitive process and enable designated group members in lower paying jobs to move up.

The interviews were conducted by someone outside the HRS to encourage openness and candour. Our interviewer told us that many people who were interviewed were both passionate and emotional in the interview. People cried. People said things they had never before had the opportunity to say. We should not lose sight of this when considering the recommendation to implement a formal complaints procedure within HRS -- a notion supported by 96% of those interviewed.

We found, for instance, an alarming number of incidences of sexual and racial harassment within HRS. Forty per cent of Level 1, 57% of Level 2 and 32% of Level 3 employees said they had been sexually harassed themselves or knew of someone who had been sexually harassed in HRS. No one knew the name of the harassment advisor. Few knew how to deal with a harassment complaint.

Half of those interviewed at Level 2 and a quarter of Level 3 interviewees have been racially harassed or knew of someone who had been racially harassed in HRS. The brunt of the harassment was directed at racial minority women. Again, few knew how to complain.

Harassment is an extreme form of discrimination. Most of those interviewed felt discrimination occurs within HRS. Nearly all Level 3 interviewees felt that discrimination was "a fact of life in the HRS".

A barrier-free selection policy is only effective when there are competitions for jobs. We found that in HRS, the competitive process is used too infrequently. Over the past year, over a quarter of jobs in HRS were filled through waivers. Almost half of those interviewed had never been through a competition in HRS. Almost three-quarters of those interviewed did not go through a competition for their current position.

To some extent, the evolution of HRS over the past several years explains why so many employees did not go through a competition for their current position. HRS has changed its emphasis from a personnel rule-making organization to a human resources policy-making shop. Several reorganizations have taken place to make this change possible. To ensure that valued employees of HRS were part of the change, efforts were made to move them into new positions without a competition.

Whether or not one agrees with this policy, it would appear to the Taskforce that the reasons underlying the policy were not made clear to HRS employees. Those interviewed clearly had the perception that HRS has abandoned the competitive process and the reasons for so doing appear not to have been communicated.

And, where competitions are held, there is a perception amongst those interviewed that the competitions are often a "sham". Eighty per cent of Level 3 interviewees believe hiring decisions are made before the jobs are posted.

A majority of Level 3 interviewees also had concerns about the way in which jobs were posted as well as the content of the job postings. Middle managers told our interviewer they had little, if any, training in recruitment and selection, particularly in identifying what constitutes an essential job requirement. Indeed, almost three-quarters of middle manager interviewees said they had never been trained in any aspect of management -- including recruitment and selection.

For example, HRS has an administrative guide for managers called "HRS Policies, Practices and Procedures Manual". Only one Level 2 person and two Level 1 people were familiar with or had read the manual.

General training for staff - what might be referred to as career development training - is equally absent. A third of Level 3 interviewees have never been on a training session. "You have to ask for it...no, beg for it" were the words of one interviewee.

And, finding out about career development needs through a performance appraisal system is not something most interviewees had experience with. Almost two-thirds of Level 2 and 3 interviewees have not had performance appraisals within the previous year and a half.

All of these findings led the Taskforce to conclude that HRS has not devoted enough attention to the management of its own human resources. Apart from the racial and sexual harassment findings already referred to, we did not find significant evidence of overt bias or discrimination by managers against designated group employees. Indeed, bad human resource practices were applied without discrimination. But, we concluded that the absence of career development plans, the failure to hold competitions, and the lack of training operates against people in lower paying jobs. And, we know that people from designated groups occupy a disproportionate share of those jobs. Hence, we are singling them out when we engage in inappropriate or wrong human resources management practices.

HRS is expected to play a lead role in encouraging ministries to undergo a culture shift that will make them more aware of the importance of labour relations and good human resources management practices. The Taskforce recognizes the paradox in articulating its findings about HR management practices within HRS.

Equally paradoxical, and troubling, is the apparent lack of commitment to and knowledge about employment equity programs within HRS by managers who are part of an organization that is expected to play a leadership role in promoting corporate employment equity programs across government. *Note: the term "manager" or "management team" refers to HRS' entire management team, including Directors, ADMs, and the Deputy, as well as those whose title is Manager.*

We discovered that 70% of HRS' senior management interviewees were unable to identify any employment equity initiatives within the HRS. Seventy-eight per cent of all interviewees were unable to identify a single employment equity initiative within HRS. In the words of a Level 1 interviewee: "We don't have any initiatives." Or, in the words of another interviewee: "Employment equity is not a priority for me...I do not get rewarded for employment equity".

Most interviewees were unfamiliar with Strategies for Renewal -- an HRS program considered the primary instrument in the long-term strategic management of human resources in the OPS. No Level 1 interviewee had discussed Strategies for Renewal goals with their staff, and no Level 3 interviewee knew what the Strategies for Renewal goals were for the HRS.

The absence of knowledge about Strategies for Renewal is perhaps indicative of a larger problem -- a lack of communication throughout HRS. Eighty-five per cent of Level 1, 93% of Level 2, and 76% of Level 3 interviewees rated communication as being "poor" to "abysmal" to "non-existent". There is a belief that inability to access information impedes job performance. In the words of a Level 3 interviewee: "We are not given the big picture...how we fit in".

While preparing this report, the Taskforce realized that few of the findings -- perhaps with the exception of the high incidences of sexual and racial harassment -- would surprise staff or management. Indeed, during ESR interviews, managers and supervisors openly discussed the barrier-creating practices that were criticized by other interviewees. The Taskforce was left to ponder, then, why these practices are present within an organization that itself is responsible for ensuring that good human resources management practices are developed, and that employment equity is implemented, across the OPS.

To some extent, within HRS, as in many ministries, management has focused on developing policies and delivering products and services, to the detriment of human resources management. HRS' evolution into a human resources policy-making shop has further increased the demands placed on management. With more and more responsibilities and the pressures of managing projects, managers have often not found the time to manage their own human resources.

But, in the opinion of the Taskforce, this lack of time is only a small part of the problem, and not a credible excuse. The Taskforce concluded that the following reasons substantially account for the findings noted above:

1. *An inappropriate emphasis on the delivery of products and services, to the exclusion of human resources management effectiveness and movement towards employment equity targets.*

2. *A lack of knowledge and commitment within senior management ranks to make employment equity and good human resources management a priority, and to emphasize throughout HRS the importance of a healthy work environment.*

In the Taskforce's view, these are the real barriers. They are the root cause of the many problems we've described. If HRS can start to work on these barriers, solutions to problems around the competitive process, harassment, and the like will be easier to find.

Our recommendations and implementation plan focus on a number of specific initiatives that many will view as nothing more than getting back to the basics. We propose, for instance, that far more attention be paid to human resources management in performance agreements, that all managers and feeder groups take mandatory human resources training, and that we set up an information/complaints mechanism that operates without fear of reprisal. We make recommendations around specific employment systems, including training and development, and recruitment and selection -- recommendations that we hope will substantially improve those systems.

Our recommendations focus on changing the behaviours of the HRS management team. We have concluded that, although an employment relationship is a two-way street, in this case, the onus is on the management team to address the deficiencies that we have noted. We are not suggesting that working level employees have no responsibility for bringing matters to the attention of management, or for taking initiative to address circumstances that have an adverse impact on working conditions.

But, we believe that most of the behaviour changes must start with HRS' management team. They must demonstrate, through their actions, that HRS is serious about employment equity within its own ministry and that improving human resources practices is the key to demonstrating that seriousness.

Our recommendations are silent on the need for special measures, such as recruitment targeted for a particular designated group. Our silence is deliberate. Most importantly, we are not satisfied that other less intrusive initiatives will not be sufficient. Until we have a track record of regularly conducting performance reviews, regularly training managers, adhering to recruitment and selection policies, and emphasizing human resources management, can we say with confidence that special measures are necessary? We think not. Special measures imply something unusual. They suggest that regular measures have not worked. They suggest that proper representation of designated group members throughout the organization cannot occur if normal human resources hiring and promotion practices are applied equally to designated and non-designated group members.

We think that the case must be made before special measures are adopted. And, a key part of the case that must be made is a determination that an organization has done what it reasonably could be expected to do using regular measures, without achieving the desired results. Our findings indicate that we have not done what we reasonably could be expected to do using normal or regular human resources practices. Much more can be done -- our recommendations list some 12 items, all of which could be described as improving normal human resources practices, which may well allow HRS to achieve expected results over time.

The Taskforce cannot conclude its report without commenting on the extreme difficulty it encountered in trying to balance the legitimate and competing views of the various stakeholders who will read this report.

On the one hand are those who will think that this report has failed to document all the problems within HRS and therefore may be covering up matters that should be public. Indeed, when we started down this path last Fall, we asked some people about their expectations around the ESR review. Several people said they were cynical about this kind of review. They expected a cover-up.

On the other hand are those who may conclude that we have gone too far -- exposed too much -- and relied too heavily on the opinions of a sample of HRS employees who took part in the interviews.

If the report elicits both reactions, we have probably come somewhere close to a reasonable compromise. No one issue has concerned the Taskforce more than the issue of striking a balance. A report that fails to recognize the legitimate concerns of the interviewees will be seen as a whitewash. Alternatively, a report that extensively reproduces the criticisms raised by HRS staff will be difficult for managers at all levels to use as a basis for moving forward.

In the end, this report will not remove barriers. At best, it will make us realize that serious barriers exist within an organization whose corporate purpose is to eradicate barriers. It is only through a conscientious commitment by all of the HRS management team to implement the recommendations, and to be accountable for making the implementation plan work, that barriers will be removed or reduced.

In the years ahead, the HRS environment will ideally be one in which members of designated groups can achieve true proportional representation, and make as great a contribution as possible to the organization. The Taskforce is also confident that its recommendations, if properly implemented, will lead to another welcome development: simply put, HRS will become a more pleasant place to work.

That is the most we can expect from this report. That is the most we can hope for.

PART B ~ ELIMINATING THE BARRIERS

Recommendations & Implementation/Monitoring Plans

The recommendations are quite specific, and span a wide variety of issues. Some deal directly with the key barriers as we have described them in Part A; others deal with the consequences of the barriers - the problems with recruitment and selection, training and development, and the like.

We have put together the recommendations in three ways. The first part of the report lists the key recommendations and additional recommendations under the appropriate employment system. The second part lists the recommendations in chronological order of implementation. And the third part lists the recommendations by area of responsibility.

RECOMMENDATIONS

I. KEY RECOMMENDATIONS TO ADDRESS ROOT BARRIERS

1. Increase the emphasis on human resources management in all performance contracts, setting concrete human resources management goals in the wording. Extend performance contracts down the line and conduct annual performance reviews for every employee (ensure that a section on career planning is included).

2. Conduct regular audits of employment equity and barriers-elimination initiatives. Issue "report cards" to all managers showing results, helping to confirm progress towards goals. *(Note: to conduct truly meaningful audits, HRS' data collection and analysis capabilities, with respect to examining possible patterns of discrimination, must improve.)*

3. Develop a mandatory curriculum of human resources training for all managers and feeder groups.

4. Regularly conduct mandatory sexual harassment and human rights training for all managers and staff. Appoint a sexual harassment advisor and communicate this information to all staff.

5. Establish an information/complaints mechanism that allows for ongoing dialogue between managers and staff, and that lets employees address actual or perceived discrimination issues, without fear of reprisal.

II. ADDITIONAL RECOMMENDATIONS *by Employment System*

Recruitment and Selection

6. Prepare recruitment plans for each position, which include the proposed area of search, the composition of selection boards, etc. When recruiting for positions below the Director level, the plan must go to the ADM for approval. When recruiting directors, the plan goes to the Deputy.

7. Review and revise the waiver policy to ensure that the reasons for using waivers are clear and more justifiable (i.e. developmental opportunities, reorganization). Educate employees about exemptions to the competitive process, including the role and use of waivers, reassignments and acting assignments.

8. Establish procedures for designating open and restricted competitions; establish as wide an area of search as possible; and engage in mandatory outreach recruitment.

9. Make it a requirement, by the end of 1991, that all members of selection boards have undertaken training as outlined in Recommendation 11.

Training & Development

10. Create a clear budget for staff training and development, linking training to career planning. Inform all staff of the budget and the policies guiding its use.

11. Train selection board and staffing officers in all aspects of the selection process, including information on human rights, employment equity, essential job duties, and bona fide occupational requirements.

Workplace Accessibility

12. In government-owned and existing leased buildings, review accessibility and take appropriate steps to ensure buildings are barrier-free. Specifically:

    a) In Frost Building South: designate parking spaces for the disabled; extend handrails in stairways; provide wheelchair access to public phones; lower emergency controls; post evacuation plans (*Note: the Ministry of Government Services is already addressing other identified accessibility problems - see Appendix I*).

b) In leased buildings (subject to agreement by property managers): colour strip stairs; extend handrails; install slow action elevator doors, brailled/raised lettering, and a device to call floor numbers; move soap/towel/toilet paper dispensers in washrooms; install cup dispensers at fountains; install audible/visual warning signals; develop and post evacuation plans.

c) Develop a list of minimum accessibility standards, to be used when deciding about future office space leases.

IMPLEMENTATION and MONITORING PLANS

People are sceptical about the implementation of the report's recommendations, and the Taskforce realizes the report is only as good as the actions taken to make the changes happen. To inject accountability into this system, we recommend that a Reporting Committee be established, to monitor the progress of the implementation and monitoring plans for each recommendation, and to communicate the report's progress to staff on a regular basis. In addition to specific communications around ESR activities, the Committee will ensure that a broad communications plan is developed to decisively demonstrate management commitment to employment equity and good human resources practices.

Since the Taskforce recognizes that some of the implementation/monitoring proposals are vulnerable, the Committee will be given the flexibility to revise or fine tune the implementation/monitoring plans as necessary, ensuring the plans are consistent with the recommendations.

The Committee will be composed of four to six people. Volunteers from existing Taskforce members would be well placed to assume this Reporting role. The Committee will meet one day every two weeks to track progress, and will report to all staff on a monthly basis -- this can be accomplished through all-staff meetings, or through a staff newsletter.

I. KEY RECOMMENDATIONS

1. Increase the emphasis on human resources management in all performance contracts, setting concrete human resources management goals in the wording. Extend performance contracts down the line and conduct annual performance reviews for every employee (ensure that a section on career planning is included).

Implementation Plan

Human Resources and Leadership Planning Division will develop specific guidelines for the performance contracts. The weight placed on employment equity/human resources vs. project/program delivery will be determined as soon as possible, since many managers already have 1991 contracts in place. The phrasing in the contracts will describe day-to-day management behaviour, rather than broad and hard-to-measure objectives.

The Deputy recently announced that his performance contract is being prepared and Division Heads' contracts will be revised accordingly. We suggest revisions be completed by the end of June 1991, and filed with the Deputy's office. Staff will be advised when all the contracts have been revised. Subsequently, all contracts will be revised, with the employment equity/human resources guidelines incorporated. This should be completed by August 1991.

A broad-based committee, chaired by the Director, Employee Services Branch, will determine the most appropriate performance appraisal system or guidelines, how to introduce the new system, timing of introduction, frequency of appraisals, etc. This committee could be established by June 1, 1991. Ultimately, however, it is up to individual managers and supervisors to carry out the performance reviews.

Monitoring Plan

The manager's direct supervisor will assess his/her performance, relative to the performance contract, at the end of the year. Ultimately, the Deputy Minister who monitors the performance of all managers, will be responsible. The "report cards" (*see Recommendation #2 below*) will also help monitor managerial commitment.

The ADM, Human Resources and Leadership Planning will monitor progress on the implementation of a performance appraisal system. Ensuring that appraisals are conducted is also an area identified in the "report cards".

2. ***Conduct regular audits of employment equity and barriers-elimination initiatives. Issue "report cards" to all managers showing results, helping to confirm progress towards goals. (Note: to conduct truly meaningful audits, HRS' data collection and analysis capabilities, with respect to examining possible patterns of discrimination, must improve).***

Implementation Plan

Report cards will be prepared by managers and supervisors who are directly responsible for human resources "transactions". These reports will include information on such areas as open/closed competitions; waivers/reassignments; reclassifications; classified/unclassified positions filled; area of search; number of staff trained, and dollars spent on training; number of performance appraisals conducted; and progress on employment equity and Strategies for Renewal goals. The information will be collected and released quarterly, and be made available to staff on request. Each branch is responsible for developing its own "report card", and submitting the cards to the Division Head, and the Employee Services Branch. The Employee Services Branch will develop a "form" which would highlight the baseline requirements of the report card.

The Workforce Planning & Employment Equity, and Technology & Information Management branches will develop a data base to allow data tracking of all HRS staff, and by designated group. This should be completed as soon as possible, to permit Human Resources Services to begin gathering data by August 1, 1991, with the first report card to be issued November 1, 1991.

Monitoring Plan

The Director of Employee Services Branch will ensure "report cards" are issued, while the Deputy will review the aggregate "report card" for HRS. If concerns have been identified, the Deputy will make recommendations to the Division Heads.

3. ***Develop a mandatory curriculum of human resources training for all managers and feeder groups.***

Implementation Plan

The Internal Training Subcommittee, chaired by the Director of Employee Services Branch, will develop the training curriculum, and prioritize the training courses. Training will include such areas as human rights, health and safety, recruitment and selection, performance management, sexual/workplace harassment, ethics, interpersonal skills, and Strategies for Renewal. (If training is indeed mandatory, a process must be developed to ensure attendance.) This training will be funded through a central "pot"; the Employee Services Branch will review the program.

The curriculum will be ready by the end of August, 1991, and the first course will be delivered in the Fall, 1991. All managers will have taken at least one HR course by the end of 1991.

Monitoring Plan

HRPC will monitor the development and implementation of this training curriculum, along with staff themselves -- has the training of managers, in their view, done any good?

4. ***Regularly conduct mandatory sexual harassment and human rights training for all managers and staff. Appoint a sexual harassment advisor and communicate this information to all staff.***

Implementation Plan

Employee Services Branch will develop an information/training program to clarify what sexual harassment is and identify the rights and obligations of all parties. Additional training will be required for harassment advisors/investigators, and for managers/supervisors (what to do if a complaint is reported). The rights and responsibilities of managers/employees under the *Ontario Human Rights Code* will also be a component of the training.

The first session will be ready by September 1991, with all staff to be trained before the end of the calendar year.

The name of the sexual harassment advisors will be included in the staff phone directory (responsibility of the Accommodations Section) and employee orientation kit (responsibility of Human Resources Services). A copy of the sexual harassment policy will also be included in the Policies, Practices and Procedures manual (responsibility of Management Services & Support Section).

Monitoring Plan

Starting in August 1991, progress of sexual harassment and human rights training will be reported at all-staff meetings.

5. ***Establish an information/complaints mechanism that allows for ongoing dialogue between managers and staff, and that lets employees address actual or perceived discrimination issues, without fear of reprisal.***

Implementation Plan

The Employee Relations Branch will chair a steering committee responsible for researching complaints resolution mechanisms in other non-unionized organizations. The committee will have representatives from management/non-management, designated/non-designated, and classified/unclassified staff (committee's terms of reference will be developed by HRPC). The steering committee will submit its recommendations to HRPC by July 30, 1991. A pilot Employee Relations Committee (ERC) will be in place by September 1, 1991. The ERC will be evaluated by the steering committee at the end of six months, with a view to implementing a permanent structure by June 1, 1992.

Monitoring Plan

Implementation will be monitored by the HRPC.

II. ADDITIONAL RECOMMENDATIONS *by Employment System*

Recruitment and Selection

6. ***Prepare recruitment plans for each position, which include the proposed area of search, the composition of selection boards, etc. When recruiting for positions below the Director level, the plan must go to the ADM for approval. When recruiting directors, the plan goes to the Deputy.***

Implementation Plan

Employee Services Branch will develop guidelines for completing the plans, and communicate the procedure to all managers and supervisors. The plans will include information like the proposed area of search; selection criteria; composition of the selection board; and designated group members on the board.

The plans must be submitted to the appropriate supervisor for approval prior to each competition, with a copy going to Human Resources Services. The prototype will be in place by June 1, 1991. A staff information session will outline the recruitment and selection process, and the significance of each step.

Monitoring Plan

Both the Division Head responsible for the area holding the competition and the Employee Services Branch will be responsible for monitoring the implementation. Semi-annual reports will be issued to HRPC about the recruitment plans, the first one for July 1991.

7. ***Review and revise the waiver policy to ensure that the reasons for using waivers are clear and more justifiable (i.e., developmental opportunities, re-organization). Educate employees about exemptions to the competitive process, including the role and use of waivers, reassignments, and acting assignments.***

Implementation Plan

The Employee Services Branch will develop a framework and process around exemptions to the competitive process. Guidelines will be approved by October 1991. The Marketing & Communications Section will develop a communications plan to address managers' concerns about flexibility in using exemptions to the competitive process, and employees' concerns about an unfair process.

Monitoring Plan

The Deputy's office has traditionally been in the best position to monitor waivers, through final sign-off. Waivers will also be an area on the "report cards", and will be monitored through that process.

8. ***Establish procedures for designating open and restricted competitions; establish as wide an area of search as possible; and engage in mandatory outreach recruitment.***

Implementation Plan

As the area responsible for Staffing Directives and Guidelines, the Workforce Planning & Employment Equity Branch will develop/communicate guidelines on designating open/restricted competitions. Guidelines will be prepared by October 1, 1991.

The Branch will also develop a communications/information plan for all staff, by October 1991, explaining the outreach recruitment process, and area of search. Additional information on resources who can help with outreach recruitment, and occupations where designated groups are under-represented will also be required from the Branch.

With respect to the area of search, consistent placement of job ads is an important part of accessibility. The Accommodations Section will be responsible for designating a bulletin board on each floor for the posting of job ads only.

Monitoring Plan

The area of search, and open/restricted competitions will be identified in the "reports cards" discussed above. Management Services and Support Section will be responsible for monitoring designated job ad bulletin boards to ensure they are identified and being used properly.

9. ***Make it a requirement, by the end of 1991, that all members of selection boards have undertaken training as outlined in Recommendation 11.***

See plans for Recommendation 11 below.

Note: For all of the Recruitment and Selection recommendations, a new inter-divisional committee, chaired by the Employee Services Branch and made up of representatives from all levels, will be created to monitor progress. This committee will report to HRPC.

Training and Development

10. ***Create a clear budget for staff training and development, linking training to career planning. Inform all staff of the budget and the policies guiding its use.***

Implementation Plan

Each branch will develop its own individual training plan and budget, and will have to justify to the Division Head how the money is used. Branch will inform staff of the budget, and communicate the policies guiding how budget will be used and accessed, by October 1, 1991.

Monitoring Plan

The various divisions will monitor branch training and development, which will also be monitored through "report cards". Year-end Divisional presentation to HRPC on how successful the Division was in meeting its training and development goals.

11. ***Train selection board and staffing officers in all aspects of the selection process, including information on human rights, employment equity, essential job duties, and bona fide occupational requirements.***

Implementation Plan

All members of selection boards must be trained by the end of 1991. The Employee Services Branch will determine how best to deliver training (i.e., through a manual, one-on-one training before a competition, etc.), and will create a package that supplements the existing Staffing Directives and Guidelines, by July 1, 1991.

Monitoring Plan

Human Resources Services will monitor implementation.

Workplace Accessibility

12. ***In government-owned and existing leased buildings, review accessibility and take appropriate steps to ensure buildings are barrier-free. Specifically:***

    a) ***In Frost Building South: designate parking spaces for the disabled; extend handrails in stairways; provide wheelchair access to public phones; lower emergency controls; post evacuation plans. (The Ministry of Government Services is already addressing other identified accessibility problems.)***

    b) ***In leased buildings (subject to agreement by property managers): colour strip the stairs; extend handrails; install slow action elevator doors, brailled/raised lettering, and a device to call floor numbers; move soap/towel/toilet paper dispensers in washrooms; install cup dispensers at fountains; install audible/visual warning signals; develop and post evacuation plans.***

    c) ***Develop a list of minimum accessibility standards, to be used when deciding upon future office space leases.***

Implementation Plan

The Health and Safety Committee will review MGS' five-year plan for accessibility at Frost South, identifying any omissions and evaluating the timeframe for implementation. The committee will submit its recommendations to the Management Services and Support Section, who will negotiate with MGS regarding changes or accelerations to the plan. Any work that could be done independently of MGS will be paid for through a designated HRS/MBS corporate fund, to be decided upon by Senior Management Committee.

The Health and Safety Committee will develop its report on Frost South within two months. A gameplan for addressing accessibility will be developed by the Management Services & Support Section, and will be required within two months of receiving the Health and Safety Committee's report.

The ESR Taskforce will assess leased buildings not reviewed in the course of the ESR, while the Health and Safety Committees will develop a list of minimum accessibility standards for leased buildings. These reports will be submitted to Management Services and Support by October 1, 1991 for discussion with current and future property managers.

Monitoring Plan

Management Services & Support will provide progress reports to the Health and Safety Committees on a quarterly basis.

ESR RECOMMENDATIONS ~ BY DATE OF IMPLEMENTATION

Date/Task	Recommendation
June 1/91	Establish committee to determine the best performance appraisal system for staff.
	1. Increase the emphasis on HR management in all performance contracts, setting concrete HR management goals in the wording. Extend performance contracts down the line and conduct annual performance reviews for every employee (ensure that a section on career planning is included).
June 1/91	Prototype of recruitment plans.
	6. Prepare recruitment plans for each position, which include the proposed area of search, the composition of selection boards, etc. When recruiting for positions below the Director level, the plan must go to the ADM for approval. When recruiting directors, the plan goes to the Deputy.
July 1/91	Training package for selection boards prepared.
	9. Make it a requirement, by the end of 1991, that all members of selection boards have undertaken training as outlined in Recommendation 11.
	11. Train selection board and staffing officers in all aspects of the selection process, including information on human rights, employment equity, essential job duties, and bona fide occupational requirements.
August 1/91	Database for "report cards" developed.
	2. Conduct regular audits of employment equity and barriers-elimination initiatives. Issue "report cards" to all managers showing results, helping to confirm progress towards goals. (*Note: to conduct truly meaningful audits, HRS' data collection and analysis capabilities, with respect to examining possible patterns of discrimination, must improve*).
August 1/91	MGS' 5-year plan for Frost South reviewed. Minimum accessibility requirements for future leases developed.
	12. In government-owned and leased buildings, review accessibility and take appropriate steps to ensure buildings are barrier-free.
August/91	Mandatory curriculum of HR training for managers developed.
	3. Develop a mandatory curriculum of human resources training for all managers and feeder groups.

Date/Task	Recommendation
August/91	Performance contracts revised, with EE/HR guidelines in place.
	1. Increase the emphasis on HR management in all performance contracts, setting concrete HR management goals in the wording. Extend performance contracts down the line and conduct annual performance reviews for every employee (ensure that a section on career planning is included).
September 1/91	Pilot complaints resolution mechanism.
	5. Establish an information/complaints mechanism that allows for ongoing dialogue between managers and staff, and that lets employees address actual or perceived discrimination issues, without fear of redress.
September/91	Sexual harassment/human rights training sessions begin. Harassment advisor/investigators appointed.
	4. Regularly conduct mandatory sexual harassment and human rights training for all managers and staff. Appoint a sexual harassment advisor and communicate this information to all staff.
October 1/91	Guidelines on open/restricted competitions in place. Outreach recruitment process explained to managers/supervisors.
	8. Establish procedures for designating open and restricted competitions; establish as wide an area of search as possible; and engage in mandatory outreach recruitment.
October 1/91	Develop gameplan for addressing accessibility to Frost South; and review accessibility for leased buildings.
	12. In government-owned and leased buildings, review accessibility and take appropriate steps to ensure buildings are barrier-free.
October 1/91	Budgets for training established and communicated to staff.
	10. Create a clear budget for staff training and development, linking training to career planning. Inform all staff of the budget and the policies guiding its use.
October/91	Guidelines on exemptions to the competitive process developed.
	7. Review and revise the waiver policy to ensure that the reasons for using waivers are clear and more justifiable (i.e. developmental opportunities, reorganization). Educate employees about exemptions to the competitive process, including the role and use of waivers, reassignments and acting assignments.

Date/Task	Recommendation
November 1/91	Issue first "report card".
	2. Conduct regular audits of employment equity and barriers-elimination initiatives. Issue "report cards" to all managers showing results, helping to confirm progress towards goals. (*Note: to conduct truly meaningful audits, HRS' data collection and analysis capabilities, with respect to examining possible patterns of discrimination, must improve*).
December 31/91	Selection board and staffing officers trained in selection process.
	9. Make it a requirement, by the end of 1991, that all members of selection boards have undertaken training as outlined in Recommendation 11.
	11. Train selection board and staffing officers in all aspects of the selection process, including information on hu. an rights, employment equity, essential job duties, and bona fide occupational requirements.

ESR RECOMMENDATIONS ~ BY AREA OF RESPONSIBILITY

I. DEPUTY MINISTER

2. *Conduct regular audits of Employment Equity and barriers-elimination initiatives. Issue "report cards" to all managers showing results, helping to confirm progress towards goals. (Note: to conduct truly meaningful audits, HRS' data collection and analysis capabilities, with respect to examining possible patterns of discrimination, must improve.)*

   - Review the aggregate "report card" for HRS, and make recommendations to Division Heads if concerns identified.

7. *Review and revise the waiver policy to ensure that the reasons for using waivers are clear and more justifiable (i.e. developmental opportunities, reorganization). Educate employees about exemptions to the competitive process, including the role and use of waivers, reassignments and acting assignments.*

   - Monitor waivers, through final sign-off.

II. HUMAN RESOURCES PLANNING COMMITTEE & SENIOR MANAGEMENT COMMITTEE

3. *Develop a mandatory curriculum of HR training for all managers and feeder groups.*

   - Monitor development and implementation of training curriculum.

5. *Establish an information/complaints mechanism that allows for ongoing dialogue between managers and staff, and that lets employees address actual or perceived discrimination issues, without fear of reprisal.*

   - Develop terms of reference for steering committee to investigate/evaluate pilot complaints/resolution mechanism.
   - Review the recommendations of the Employee Relations Branch on a pilot/permanent structure for the complaints resolution mechanism.

12. *In government-owned and existing leased buildings, review accessibility and take appropriate steps to ensure buildings are barrier-free.*

   - Designate an HRS/MBS corporate fund and decide how it will be used to perform work that can be done independently of MGS.

III. ALL MANAGERS/SUPERVISORS

1. *Increase the emphasis on HR management in all performance contracts, setting concrete HR management goals in the wording. Extend performance down the line and conduct annual performance reviews for every employee (ensure that a section on career planning is included).*

   - Conduct annual performance reviews for every employee, and ensure a section on career planning is included.

2. *Conduct regular audits of Employment Equity and barriers-elimination initiatives. Issue "report cards" to all managers showing results, helping to confirm progress towards goals. (Note: to conduct truly meaningful audits, HRS' data collection and analysis capabilities, with respect to examining possible patterns of discrimination, must improve.)*

   - Prepare "report cards" on HR transactions for which they are directly responsible.

6. *Prepare recruitment plans for each position, which include the proposed area of search, the composition of selection boards, etc. When recruiting for positions below the Director level, the plan must go to the ADM for approval. When recruiting directors, the plan goes to the Deputy.*

   - Prepare recruitment plans for vacant positions. Division Heads responsible for monitoring plans.

10. *Create a clear budget for staff training and development, linking training to career planning. Inform all staff of the budget and the policies guiding its use.*

    - Develop training plans and budget for staff. Managers will be responsible for justifying how the training budget is spent.
    - Division Heads will monitor branch training and development.

IV. HUMAN RESOURCES & LEADERSHIP PLANNING DIVISION

1. *Increase the emphasis on HR management in all performance contracts, setting concrete HR management goals in the wording. Extend performance down the line and conduct annual performance reviews for every employee (ensure that a section on career planning is included).*

   - Develop specific guidelines for performance contracts.
   - Ensure the phrasing in contracts describes day-to-day management behaviour, rather than broad and hard-to-measure objectives.
   - Monitor progress of implementation of performance appraisal system.

Employee Services Branch

1. *Increase the emphasis on HR management in all performance contracts, setting concrete HR management goals in the wording. Extend performance down the line and conduct annual performance reviews for every employee (ensure that a section on career planning is included).*

   - New committee, chaired by Employee Services Branch, to determine the most appropriate performance appraisal system/guidelines, how to introduce the new system, timing of introduction, frequency of appraisals, etc.

2. *Conduct regular audits of Employment Equity and barriers-elimination initiatives. Issue "report cards" to all managers showing results, helping to confirm progress towards goals. (Note: to conduct truly meaningful audits, HRS' data collection and analysis capabilities, with respect to examining possible patterns of discrimination, must improve.)*

   - Establish baseline requirements for "report cards".
   - Ensure "report cards" are issued.

3. *Develop a mandatory curriculum of HR training for all managers and feeder groups.*

   - HR Services, with Training Committees, to develop training curriculum.
   - Review costing of training curriculum.

4. *Regularly conduct mandatory sexual harassment and human rights training for all managers and staff. Appoint a sexual harassment advisor and communicate this information to staff.*

   - Develop information/training program to identify the rights and obligations of all parties with respect to sexual harassment, and the *Ontario Human Rights Code*.
   - Include the name of the sexual harassment advisors in the employee orientation kit.

6. *Prepare recruitment plans for each position, which include the proposed area of search, the composition of selection boards, etc. When recruiting for positions below the Director level, the plan must go to the ADM for approval. When recruiting directors, the plan goes to the Deputy.*

   - Develop guidelines for completing the plans, and communicate the procedure to all managers and supervisors.
   - Monitor the implementation of recruitment plans, and issue semi-annual reports.

For all the Recruitment and Selection recommendations (Recommendations 6 - 9), a new committee, chaired by the Employee Services Branch, will be established. Committee members will represent various levels in the organization, and all the divisions. This committee will be responsible for monitoring the implementation of the Recruitment and Selection recommendations.

9. *Make it a requirement, by the end of 1991, that all members of selection boards have undertaken training as outlined in Recommendation 11.*

11. *Train selection board and staffing officers in all aspects of the selection process, including information on human rights, employment equity, essential job duties, and bona fide occupational requirements.*

- Determine how best to deliver training, and create a package that supplements the existing Staffing Directives and Guidelines.
- HR Services to monitor implementation.

Workforce Planning & Employment Equity Branch

2. *Conduct regular audits of Employment Equity and barriers-elimination initiatives. Issue "report cards" to all managers showing results, helping to confirm progress towards goals. (Note: to conduct truly meaningful audits, HRS' data collection and analysis capabilities, with respect to examining possible patterns of discrimination, must improve.)*

- With the Technology & Information Management Branch, develop a database to allow tracking of all HRS staff, and by designated group.

7. *Review and revise the waiver policy to ensure that the reasons for using waivers are clear and more justifiable (i.e. developmental opportunities, reorganization). Educate employees about exemptions to the competitive process, including the role and use of waivers, reassignments and acting assignments.*

- Develop a framework and process around exemptions to the competitive process.

8. *Establish procedures for designating open and restricted competitions; establish as wide an area of search as possible; and engage in mandatory outreach recruitment.*

- Develop a communications/information plan for all staff, explaining the outreach recruitment process.
- Gather information on resources that can help with outreach recruitment, and identify for all managers/supervisors, occupations where designated groups are under-represented.

- Develop/communicate guidelines on designating open/restricted competitions.

V. STRATEGIC MANAGEMENT & SERVICES DIVISION

Technology & Information Management Branch

2. *Conduct regular audits of Employment Equity and barriers-elimination initiatives. Issue "report cards" to all managers showing results, helping to confirm progress towards goals. (Note - to conduct truly meaningful audits, HRS' data collection and analysis capabilities, with respect to examining possible patterns of discrimination, must improve.)*

    - With the Workforce Planning & Employment Equity Branch, develop a database to allow tracking of all HRS staff, by designated group, etc..

Corporate Policy Coordination & Communications Branch

7. *Review and revise the waiver policy to ensure that the reasons for using waivers are clear and more justifiable (i.e. developmental opportunities, reorganization). Educate employees about exemptions to the competitive process, including the role and use of waivers, reassignments and acting assignments.*

    - Develop communications plan to address managers' concerns about flexibility in using waivers, and employee concerns about an unfair process.

Management Services & Support Section

4. *Regularly conduct mandatory sexual harassment and human rights training for all managers and staff. Appoint a sexual harassment advisor and communicate this information to staff.*

    - Include the name of sexual harassment advisors in the staff phone directory.
    - Include the sexual harassment policy in the Policies, Practices and Procedures manual.

8. *Establish procedures for designating open and restricted competitions; establish as wide an area of search as possible; and engage in mandatory outreach recruitment.*

    - With respect to area of search, consistent placement of job ads is important from an accessibility point of view. Section responsible for designating a bulletin board on each floor for the posting of job ads only.

12. *In government-owned and existing leased buildings, review accessibility and take appropriate steps to ensure buildings are barrier-free.*

- Negotiate with MGS about changes or accelerations to its five-year plan for Frost South.
- Prepare a gameplan for addressing accessibility to Frost South, and provide quarterly progress reports to the Health and Safety Committee.
- Review the minimum accessibility standards for leased buildings developed by the Health and Safety Committees, to be used for discussion with current/future property managers.

Health and Safety Committees

12. *In government-owned and existing leased buildings, review accessibility and take appropriate steps to ensure buildings are barrier-free.*

- Review MGS' five-year plan for accessibility to Frost South, identify any omissions in plan, and evaluate timeframe for implementation.
- Submit recommendations to Management Services and Support Section.
- Develop a list of minimum accessibility standards for future leased buildings, and submit to Management Services & Support.

Note: the ESR Taskforce's Physical Accessibility Subcommittee and its volunteers will assess the leased buildings not reviewed in the course of the ESR.

VI. EMPLOYEE RELATIONS & COMPENSATION DIVISION

Employee Relations Branch

5. *Establish an information/complaints mechanism that allows for ongoing dialogue between managers and staff, and that lets employees address actual or perceived discrimination issues, without fear of reprisal.*

- Review existing complaints recourse mechanisms in non-unionized environments.
- Establish pilot for appropriate procedures to address employee complaints.
- Evaluate pilot after 6 months.

APPENDIX A ~ COMPOSITION OF THE TASKFORCE

Jim Thomas (Chair)	Assistant Deputy Minister Employee Relations & Compensation Division
Tom Allen	Program Assistant, Outreach & Special Programs Summer Experience Program Workforce Planning & Employment Equity Branch Human Resources & Leadership Planning Division
Mary Cheney	Manager, Education & Leadership Programs Leadership Planning & Education Branch Human Resources & Leadership Planning Division
Mike Cranston	Receptionist/W.P. Operator Strategic Coordination & Communications Branch Strategic Management & Services Division
Betty Davis	Consultant, Leadership Planning and Education Human Resources & Leadership Planning Division
Brent Gibbs	Director, Employee Relations Branch Employee Relations & Compensation Division
Jim Noel	Manager, Benefits Section Compensation Programs Branch Employee Relations & Compensation Division
Johanne Papa	Administrative Coordinator Employee Services Branch Human Resources & Leadership Planning Division
Valerie Plain	Leadership Planning Assistant Leadership Planning & Education Branch Human Resources & Leadership Planning Division

Note: Flo Paladino, Executive Assistant to the Assistant Deputy Minister, Employee Relations and Compensation Division, was project coordinator. Various volunteers and HRS staff also assisted in the review.

APPENDIX B ~ ESR SCOPE

In 1990, HRS' Workforce Planning & Employment Equity Branch, and Hitner Starr Associates (*a management consultant company*), developed an ESR guide to assist ministries in conducting reviews of nine key employment systems. The reasons for selecting these employment systems, and their potential to create barriers to designated groups, are described below.

1. Recruitment and Selection

Organizations typically follow the recruitment and selection procedures that were previously successful. However, if few designated group members were recruited or hired in the past, systemic barriers may have led them to be unaware/discouraged from applying to jobs, or have an unequal chance of being selected. Recruitment and selection includes eight areas.

- **Selection Criteria**: These should accurately and realistically reflect the qualifications and abilities needed to enter the job and carry out its essential duties. Non-related requirements, such as arbitrary standards of education or work experience, can systemically exclude designated groups.

- **Physical Demands Analysis (PDA)**: All jobs should be analyzed to determine the strength, mobility, and sensory requirements needed to perform essential duties. A PDA facilitates the employment of persons with disabilities by measuring factors, and noting where accommodations or modifications can be made.

- **Area of Search**: The area of the search, whether geographical (locations where the organization advertises) or organizational (ministry-wide, open vs. restricted) has an impact on the likelihood of designated group members applying for a job.

- **Job Advertisements**: Barriers exist when designated groups are discouraged from replying to ads for reasons that have little to do with ability. Ads must contain pertinent information only (essential duties and skills), be accessible, and let applicants easily obtain additional information.

- **Waivers**: In general, waivers must be monitored to ensure that designated group members are appointed to positions in proportion to non-designated group members.

- **Screening**: As screening reduces the number of job candidates, it is vital that the process is not biased against applicants who've gained skills through volunteer work (like many women and persons with disabilities), have non-Canadian experience (like many racial minorities), or whose experience is not recent (like many women). Penalizing or excluding candidates for such reasons contributes to systemic discrimination.

- **Interviewing:** The interview process is the first chance for candidates to personally demonstrate their suitability. The composition of the interview board, nature of the questions, and way interviews are assessed can all impact negatively on designated groups. The purpose of the interview is simply to make an objective assessment of the candidate's ability to perform essential job duties, and it is the responsibility of the interview board to "objectify" this process.

- **References**: Through reference checking, the former employers of job candidates may contribute to the practice of systemic discrimination. Subjective biases can be reduced by ensuring that questions asked of references deal only with selection criteria for the job, and by calling more than one reference.

2. **Orientation**

   The way new employees are introduced to the workplace often affects their ability to perform the job. A receptive environment, a clarity about job function, and an understanding of how the job integrates with the overall organization will all contribute to the employee's work performance.

3. **Probation**

   To ensure that employees understand what is expected of them, and to clarify the consequences of not performing to standard during the probationary period, it is necessary to define job expectations and objectives. The criteria used to set or amend the length of the probation must be similar for all employees.

4. **Training and Development**

   Admission to training and development programs is often based on salary or occupation, which may exclude the members of designated groups under-represented in the pay and job levels that attract training resources. As training is critical to career progression, designated group members may continue to cluster in specific jobs unless able to take part in training.

5. **Performance Management**

   In many organizations, performance reviews are conducted on an ad hoc basis. All employees need regular feedback about their performance and ways to improve it, along with set work goals. Only then can they become aware of areas of weakness, strive to improve their performance, and gain opportunities to advance.

6. **Promotion**

Most employees want to take advantage of opportunities that let them meet their career aspirations. Such opportunities are often limited for designated group members, partly because they tend to be clustered in low-paying/low-status jobs, and partly because promotion criteria can be vague or unknown. A formal system that plans for training and promotion is an ideal way to expand opportunities for members of designated groups who have been excluded from movement up the occupational hierarchy.

7. **Workplace Accessibility**

Employers may be uncertain of just what constitutes a workplace barrier. Clearly, a lack of physical accessibility in the workplace presents an undeniable barrier to the disabled. Establishing a safe and accessible workplace -- which includes areas such as parking ramps, entrances/exits, elevators, work stations, washrooms, boardrooms, etc. -- is critical to the elimination of barriers to the full employment participation of persons with disabilities.

8. **Working Conditions**

Good working conditions mean more than comfortable offices and a nice cafeteria. It means an environment where staff can make the greatest possible contribution and meet their career aspirations. An equitable environment is one where employees are aware of their rights under the *Ontario Human Rights Code*, where those rights are respected, and where sensitivity and courtesy prevail.

9. **Discipline, Termination, and Exits**

Employees who fail to meet certain standards of job performance or who breach corporate policies and procedures, may be subject to disciplinary action. Such action must be fairly and evenly applied, and based on documented and measurable criteria. The arbitrary use of disciplinary measures will result in charges of unfairness and discrimination.

APPENDIX C ~ ESR METHODOLOGY

The Taskforce relied on four research methods: a documentary review, a data review, a workplace accessibility review, and staff interviews. The reviews were performed by the Taskforce, with the help of the Workforce Planning & Employment Equity Branch, while the interviews were carried out under the Taskforce's direction by Hitner Starr Associates. Before embarking on its activities, the Taskforce participated in an ESR workshop. This workshop consisted of specific training on conducting a review of HRS' employment policies, practices, and procedures, as well as an overview of the critical employment provisions of the *Ontario Human Rights Code*, and employment equity issues. It is worth noting that the Taskforce decided to make the human rights training available to all staff.

1. Documentary Review

Like any ministry, HRS follows the Human Resources Directives and Guidelines. But with human resources a delegated ministry responsibility, HRS also includes its own formal documentation covering issues such as selection criteria, the placement of job ads, training, and performance evaluations. The documentary review examines all ministry documentation pertaining to the employment of staff; and the policy or procedural barriers to the full employment participation of designated group members.

2. Data Review

The data review is intended to secure various key statistics regarding employment systems within HRS, and focus attention on issues that warrant further probing. As many of the desired statistics were simply unattainable, the scope of the data review was not exhaustive. Among the statistics gathered were: the use of waivers; the area of job searches; the sources of job candidates; the use of reference checks; the types of training performed; and the distribution of courses by gender.

3. Workplace Accessibility Review

The Taskforce examined the physical accessibility at Frost Building South and HRS' three leased buildings: 252 Bloor St. West (home of the Employee Services Branch), 5 Park Home Ave. (home of the Compensation Policy Branch and Compensation Programs Branch), and 790 Bay St. (home of the Human Resources and Leadership Planning Division). Among the areas evaluated were parking, entrances, stairways, elevators, fountains, washrooms, phones, emergency controls, signage, and hazards.

4. Staff Interviews

Though the staff interviews gathered impressions and attitudes, such information is no less valuable than the facts that emerge from the other types of research. For the interviews are the only true source of information about the impact of employment practices, the extent to which they deviate from formal policy, and the perceptions about discrimination in the workplace. No matter how fairly conceived and applied, policies must be <u>seen</u> to be fair. Even if an ESR found no barriers to the employment

of designated groups, perceptions may exist of inequity. Such perceptions must be treated with the utmost seriousness, for if there's a perception of a problem, there is a problem.

The interviews included three levels of staff. Level 1 were responsible for human resources policy development (executive level); Level 2 were responsible for policy implementation (managerial and supervisory level); and Level 3 were below supervisory level. Fifty-eight people were interviewed, or 18% of the HRS workforce. While the Taskforce developed the interview questions, it used a consultant, Hitner Starr Associates, to conduct the interviews, increasing the comfort level of interviewees and reinforcing confidentiality. Other than Level 1 interviewees, subjects were selected at random from a list of SINs and corresponding designated group status. Each interview lasted 1-1.5 hours.

5. Central Questions Facing the Taskforce

Throughout its research, the Taskforce was guided by a single concern: does the policy, practice, or procedure being studied undermine an equitable work environment or promote one? As prescribed in the ESR guide, all policies, practices, and procedures were examined based on seven "equity criteria".

1. Legality: Does the policy or practice conform to existing human rights legislation?

2. Consistency: Is the policy or practice applied the same way for all (except where specific needs of designated group members are met through accommodation/special measures)?

3. Adverse Impact: Does the policy or practice have a greater negative impact on designated than on non-designated groups?

4. Validity: Does the policy or practice measure what it sets out to measure?

5. Job-Relatedness: Is the policy or practice directly linked to the effective performance of essential job requirements?

6. Business Necessity: Is the policy or practice essential to the organization's safe and efficient operation? Will removal or modification of the policy or practice impose undue hardship on the organization?

7. Neutral Language: Is the policy or procedure documented in non-sexist language, and in language that does not promote racial, ethnic, or other stereotypes?

APPENDIX D ~ HRS ENVIRONMENT & WORKFORCE PROFILE

The ESR was not conducted in a vacuum. It occurred against the backdrop of previous, existing, and planned employment equity programs, and within the context of a rapidly evolving HRS. To understand the forces that led to the ESR, and the framework in which it was held, it is useful to examine the HRS environment and nature of employment equity.

1. The HRS Environment

The purpose of HRS is to ensure that government has the people needed to carry out today's programs and services, and can acquire the people to carry out tomorrow's. Since its creation in 1986, the Secretariat has delivered a core of administrative services that bring order to hiring, compensating, and managing a large and diverse workforce, and that promote optimum human resources management practices for the OPS.

The past four years have been marked by a steady evolution of role and function. In effect, HRS has attempted to carry out all the functions of the former Civil Service Commission, and provide support to the Executive Development Committee and the Premier's Advisory Council, all while creating new human resources policies and programs. Inspired by a vision of a public service that truly values its human resources, HRS has introduced innovations such as Strategies for Renewal; developed policies such as employment equity; and implemented major legislative changes such as pay equity.

In recent times, the HRS has shifted its focus from a personnel rule-making shop to a human resources policy-making shop, and is now concentrating its efforts on the provision of policy support to the Chairman of Management Board of Cabinet, in the Minister's role as employer, and the Secretary of Cabinet.

The continuing evolution of HRS has resulted in significant organizational and personnel changes over the past four years: three Deputy Ministers, two sets of ADMs, a complete turnover of directors, and, in the last year, a brand new structure.

2. Employment Equity in the OPS

HRS, like the OPS and all Ontario employers, must adapt to the changing composition of the available labour force. Groups that have been under-used or excluded are asserting their rights and demanding an equal role in the workplace. In an economy experiencing labour shortages, full participation by these groups is not only right but imperative to economic efficiency.

The concept of employment equity in the OPS has been introduced over 17 years through three initiatives: the 1974 affirmative action program for women; the 1987 employment equity program, which extended affirmative action to four new groups; and 1988's pay equity legislation.

The 1986 "I Count" survey and 1989 workforce profile provided a statistical profile of OPS' designated group employees. General results indicated that:

- overall representation, with the exception of persons with disabilities, compared favourably to the general population;
- representation at higher organizational levels was far below general population levels; and,
- designated group members were over-represented in unclassified positions.

In 1989, employment equity goals and timetables were developed for 35 occupational groups. Ministries also incorporated three and ten-year targets in their human resources plans, the latter involving proportional representation of designated groups.

Recent employment equity highlights include the establishment of a $23.5 million Employment Equity Fund, administered by HRS; the development of an Outreach Recruitment Directory, which links OPS managers with 600 organizations that provide employment services to designated groups; the development of a communications and marketing strategy to address misconceptions about employment equity; and the delivery of "Operationalizing Employment Equity" sessions to managers across Ontario.

To create the conditions that support the achievement of OPS' goals and timetables, HRS is developing a comprehensive employment equity framework for presentation to government. It will include an overall employment equity policy statement that re-defines employment equity and offers a set of operating principles. Ultimately, employment equity is not a program with a fixed end; it is part of the OPS' overall corporate culture.

3. The HRS Workforce Profile

The workforce profile database is a key tool in helping the ESR Taskforce identify where the greatest barriers to the hiring or movement of designated groups exist. The following chart indicates the representation of the five designated groups within four populations: Ontario, the OPS (whose labour pool is the province), Metropolitan Toronto, and HRS (whose labour pool is primarily limited to Metro). The figures give a sense of whether HRS reflects the distribution of the designated groups in the general population, and where disparities occur.

Table X

REPRESENTATION of DESIGNATED GROUPS WITHIN SELECT POPULATIONS

Population	Aboriginal Peoples	Racial Minorities	Franco-phones	Disabled Persons	Women
Ontario	1.7%	8.6%	6.3%	7.4%	50.4%
OPS	1.7%	12.2%	7.8%	4.0%	46.3%
Metro Toronto	0.9%	20.1%	2.2%	6.4%	51.2%
HRS	1.3%	24.6%	13.8%	3.3%	75.1%

Sources: Statistics Canada 1986 Census and 1987 Health & Limitations Survey for Ontario and Metro totals; HRS Workforce Planning & Employment Equity Branch for OPS and HRS totals. HRS percentages add up to more than 100 as some employees are members of more than one designated group.

Overall, HRS' representation of designated groups seems in line with the representation in Metro Toronto, with the exception of disabled persons. In fact, in one case HRS is over-represented, with 75% of the workforce comprised of women. But overall representation only tells part of the story. Where do these groups fit into the organization?

The following chart indicates what percentage of designated group members, within each group, fall under various job classes in HRS, with the figures for non-designated groups (called NDGs here) shown alongside. Note that for aboriginal peoples and disabled persons the actual figure is also shown; the totals for these two groups are so small, that the movement of just one person would alter the percentages significantly.

Table Y

REPRESENTATION of DESIGNATED & NON-DESIGNATED GROUPS IN VARIOUS JOB CLASSES WITHIN HRS

Class	Aboriginal Peoples	Racial Minority	Francophone	Disabled	Women	Non
ECP	0.0%	0.0%	0.0%	10.0% (1)	2.3%	15.1%
MCP 19+	0.0%	5.3%	7.1%	10.0% (1)	9.7%	24.5%
MCP 17 - 19	0.0%	21.3%	50.0%	30.0% (3)	31.1%	37.7%
MCP 12 - 16	25.0% (1)	18.7%	11.9%	10.0% (1)	11.7%	3.8%
OAG 9 - 11	0.0%	18.7%	7.1%	0.0%	15.6%	1.9%
OAG 6 - 8	0.0%	29.3%	19.0%	40.0% (4)	22.6%	5.7%
OAG 1 - 5	50.0% (2)	2.7%	2.4%	0.0%	2.7%	1.9%
Other	25.0% (1)	4.0%	2.4%	0.0%	4.3%	9.4%

* *Source: HRS Workforce Planning & Employment Equity Branch, as of September 30, 1990.*

The above figures seem to indicate that all designated groups lag significantly behind non-designated groups with respect to representation in the upper levels of HRS. Despite all of the employment equity initiatives that have occurred, members of designated groups are still concentrated in the lower echelons of the organization, and thus in lower-paying jobs. This is particularly true in the case of racial minorities, even more so in the case of racial minority women. For instance, 31.7% of racial minority men work in the OAG classes, compared to 58.5% of racial minority women.

It is also interesting to note that a disproportionate number of racial minority women work in lower-paying jobs compared to white women. As noted, almost 60% of racial minority women are concentrated in the OAG classes, while just over 40% of women overall in HRS can be found in those classes. While an argument can conceivably be made that within HRS, women should not be a designated group -- after all, they already make up three-quarters of the workforce -- racial minority women seem to merit that designation.

APPENDIX E ~ RECRUITMENT AND SELECTION FINDINGS

1. Selection Criteria

The selection criteria for any job must be based on bona fide occupational requirements, and the level of expertise needed to enter the job. The Taskforce found that most managers had little if any training in recruitment and selection, particularly in what constitutes an essential job requirement. They simply hired the "most" rather than the "best" qualified person, with the emphasis on how much of a particular requirement a candidate can provide, not on the extent to which such a requirement is necessary to do the job.

The Taskforce also discovered that the majority of staff do not have a copy of or had never seen their job description. Without such descriptions, it is hard to identify a position's essential requirements, making the hiring process arbitrary and discretionary, and undermining employment equity.

2. Physical Demands Analysis

The Human Resources Directives and Guidelines do not require that job advertisements state that a physical demands analysis of the position is available. However, HRS performed such an analysis of its positions back in 1989, and makes reference to the availability of the results on all of its ads.

3. Area of Search and Job Advertisements

Data on open and restricted competitions is available for 1989 and 1990 only. In 1989, 85% of job competitions were open, while in 1990 43% were (it may be hard to draw conclusions from the 1990 numbers due to HRS' reorganization). In the 1989 open competitions, a significant percentage of successful candidates came from the OPS: 64% of managerial positions, 50% of working level positions, and 60% of office support positions.

The ESR found no mandatory requirements for establishing open or restricted competitions, and that the area of search is not linked to achieving employment equity goals. It is also not mandatory to send copies of job ads (apart from *job mart*) to organizations in the Outreach Directory. This restricts the area of search, and risks maintaining recruitment patterns that have led to the current representation of designated groups.

For open competitions for classified positions from April 1989 to March 1990, 17% were advertised in at least one newspaper and *topical*. External candidates comprised 84% of applicants and won 43% of the competitions. Half the jobs were advertised in *topical* only, and external candidates comprised 77% of this applicant pool, winning 46% of competitions. And 29% of these jobs were advertised only in the ministry or branch facility. External applicants comprised 66% of these applicants, winning 33% of competitions. For restricted competitions, 64% were advertised only in the ministry or branch facility.

Half of working level staff have concerns about how jobs are posted, and the content of the postings, stating that postings lacked consistency, did not reflect the actual jobs, and were not accessible. The Taskforce further found a perception that hiring decisions are made before jobs are even posted, which may lead qualified people to avoid applying for positions.

4. Waivers

Waivers are exceptions to the competitive process, and as such present a barrier to the concept of equity in recruitment and selection. According to policy, waivers must only be used for career planning; to fill a position for which there is a known and documented scarcity of qualified human resources; to place an individual already identified as a qualified candidate in a previous competition for a position at the same level with similar selection criteria; or to make an acting or seconded post permanent. But this policy can have an adverse impact on designated group members due to the discretion available.

The OPS target for waiver usage is 20%. Over the past three years waiver usage in HRS has exceeded that level twice: once in 1988, when waivers were used to fill 24% of positions, and again in 1990, when they were used 27% of the time. In HRS, waivers seem to serve a functional purpose. As HRS is largely a project-oriented organization, many employees work on specific tasks for fixed periods. With waivers, managers can continually slot such staff into new positions without going through a competition. The alternative would be to constantly have current staff participate in job competitions, with the result that job security at HRS would be nil. HRS managers often decide that waivers are simply the lesser of two evils. But in the interviews, 90% of managers said that they wouldn't be concerned if waivers were abolished, provided a speedier and more efficient competitive process is available.

5. Screening

The data review revealed that in 1989 some type of practical test was used in 38% of competitions. This number seems high, but would be explained if the total included language tests.

6. Interviewing

Both the documentary review and interviews found terrible flaws in the interview panel selection process. Members of panels are not required to be familiar with human rights or other employment-related legislation, or with the selection process for that matter. The selection of panels is also inconsistent; in many cases, panels are made up of whoever has time to sit on them. Other "panels" include only one person. And though one member of the panel is supposed to come from a designated group, women alone are usually chosen for this task. The staff interviews offered one positive note, as most managers found the actual interview questions to be job-related. Questions were also scripted, indicating that they were theoretically asked of all candidates.

7. References

The documentary review found that procedures for reference checking are not standardized. In 1989, reference checks were recorded on competition files 55% of the time. But this figure does not reveal just how many references were checked. The Taskforce found that while managers say they routinely make at least two reference checks for the top candidates for a position, two-thirds of working level staff who had recently been through an HRS interview claim that no more than one reference check was made in their case.

APPENDIX F ~ ORIENTATION AND PROBATION FINDINGS

HRS' orientation kit and policy seemed to present no barriers to members of designated groups. However, orientation training could be performed on a more regular basis. The Taskforce found that half of all managers were unfamiliar with the corporate probation policy (i.e., up to a year for classified staff). Probationary periods should of course be consistently applied, though at present they appear to be ad hoc.

APPENDIX G ~ TRAINING AND DEVELOPMENT FINDINGS

The Taskforce concluded that HRS has a poorly conceived and executed training and development strategy, with no specific budget allocated for training. The interviews, for example, revealed that few managers were familiar with the HRS Policies, Practices, and Procedures manual -- the administrative guide for managers -- and none were trained in its application. Overall, training was felt to be inconsistent and unstructured, with all levels of interviewees suggesting training was self-initiated, with only the most aggressive people getting it.

The access of unclassified staff to external training also appears to be problematic. Training for such staff must be specified in the employment contract and approved by the Deputy Minister. As a high percentage of unclassified staff are made up of designated group members, this policy would seem to have an impact on the ability of many designated group members to develop as feeder groups for classified jobs.

Training data about the recipients of courses is captured on a gender basis only. Women comprise 79% of training participants, and take up 81% of training days, somewhat more than their actual representation in HRS (75.1%) warrants. Women also receive twice as much management training as men and significantly more training in administrative support, while men receive more than twice as much interpersonal training. Overall, employees received an average of 1.3 training days in 1989-90, compared to the 1986-87 baseline average of 3.5 days.

Though training has been deficient in the past, signs are that management has acknowledged the problem and are taking steps to correct it. The Pathways to Leadership Understanding and Skill (PLUS) report, which has received senior management support, deals with the need to improve performance management, make training and development available for all, and consider employment equity targets when planning training and development. As such, the PLUS report seems to support the goals of the ESR.

APPENDIX H ~ PERFORMANCE MANAGEMENT & PROMOTION FINDINGS

1. Performance Management

As with training, performance appraisals and career planning are limited. The Taskforce found that 64% of Level 2 interviewees have never discussed career plans with their staff, and 80% of Level 1 and 64% of Level 2 interviewees haven't conducted performance appraisals with staff over the past 18 months. During that span, 30% of Level 1, 64% of Level 2, and 62% of Level 3 interviewees had not received a performance appraisal of their own. Those who did have appraisals said they did not find them helpful, as they were not tied to any career development strategy.

The HRS practice clearly does not follow the corporate policy, namely that performance appraisals should be performed annually. Further, the HRS Performance Appraisal Manual does not indicate that the employee must sign the form, and that employees are entitled to give their own comments. This would help deal with any biased appraisals that could have an impact on members of designated groups.

2. Promotion

The Taskforce found that a high percentage of staff simply do not know what it takes to advance, leading to a belief that promotions are arbitrary and unconnected to competence. This clearly undermines any notions of equity.

As for the "A" List, the executive planning inventory, almost no one feels that it is a fair and well-defined system, or knows how to get on it. At present, the list consists of six women and two men -- mirroring the gender breakdown in HRS -- with no designated group other than women included.

APPENDIX I ~ WORKPLACE ACCESSIBILITY FINDINGS

The ESR found several limitations to workplace accessibility for persons with disabilities, at both Frost Building South and HRS' three leased buildings (252 Bloor Street West, 5 Park Home Avenue in North York, and 790 Bay Street). The main findings are listed below.

A. Frost Building South (*Government-Owned Building*)

Parking No spaces near the entrance are identified as being reserved for the disabled, and there is no immediate access to the walkway.

Curb Ramps Front entrance has no curb ramp; actual ramp has no handrails.

Entrance The front entrance has no automatic device, and doors require maximum strength/pressure to open when the automatic opener is down.

Stairs The lighting is poor, and there are no handrails that extend a foot beyond the top and bottom steps.

Elevators The controls, call buttons, and phone are all too high, and the control buttons are not labelled with raised or recessed letters.

Floors The lobby surface is slippery.

Fountains The water fountains are not accessible to wheelchairs.

Washrooms Only the first floor washroom is accessible, and even it isn't fully accessible: mirrors are too high, the toilet paper dispenser is hard to reach, and the door is hard to open.

Telephones The lobby telephones are not accessible to wheelchairs.

Emergency Controls The fire and emergency controls are too high, no evacuation plan is posted, and no exit signs are posted for the disabled.

Hazards Almost all corridors have protruding objects.

Cafeteria Wheelchair access and movement is limited.

The Ministry of Government Services has prepared a five-year plan to retrofit the Frost Buildings for disabled accessibility. The following work has already been identified to be completed in Frost South in year two of the plan: decals on the glass; signage on the drop-off zone; automated front door; colour strips on the stairs; one accessible fountain per floor; a lower dispenser on the first floor washroom; and a retrofit of the washrooms on floors 2-7. The Strategies for Renewal plan also identifies that the reception desk in the lobby will be lowered.

B. Leased Buildings

Entrance	Each location meets the minimum entrance accessibility standards: at least one entrance extends to the outdoors at sidewalk level, or to a ramp leading to a sidewalk; and the entrance connects to a level that provides access to passenger elevators. One location has an automated device, which, at the time of the survey, was broken. All doors are heavy, requiring more than a minimum amount of strength/pressure, and none have closers equipped with delayed action.
Stairs	Two locations have handrails that do not extend at least one foot beyond the top and bottom of the steps, and one does not have a colour differentiation or non-slip surface.
Elevators	No locations have elevators with control buttons labelled with raised or recessed letters, and they all have difficult accessibility to emergency controls or telephones. The visible/audible signals are inconsistent between all locations, but none have both. And only one has handrails.
Fountains	No location has accessible fountains.
Washrooms	All locations have accessible washrooms, but with some design problems (i.e., the mirrors are too high, the toilet paper dispenser is too far, the towel dispenser is high).
Telephones	None of the locations have phones for persons with hearing disabilities.
Emergency Controls	At no location are all of the switches and essential controls (e.g., fire alarms) accessible. No evacuation plans are posted.
Signage	One building has a directional signage system for persons with disabilities.
Hazards	Protruding objects appear at all locations.
Cafeteria	At one location, the passage between the aisles is too narrow.

APPENDIX J ~ DISCIPLINE, TERMINATION & EXITS FINDINGS

The Taskforce did not look specifically at discipline and termination in the course of the review. However, the following chart on exits indicates that members of designated groups are leaving HRS just as quickly as they arrive, with only women and persons with disabilities making any gains.

Table Z

Percentage of Designated Groups Among All HRS Employees Hired and Separated From *July 1989 to September 1990*

DESIGNATED GROUP	NEW HIRES	SEPARATIONS
Aboriginal Persons	2.4%	2.3%
Racial Minorities	26.2%	25.0%
Francophones	21.4%	27.3%
Persons with Disabilities	7.1%	2.3%
Women	76.2%	69.6%

* *Source: Workforce Planning & Employment Equity Branch. New hires represent employees new to the OPS.*

About 30% of the separations were due to retirement, a handful to releases in the first year, and close to 70% resulted from resignations for unspecified reasons. But the staff interviews offer a hint. Only three in 10 current employees see their career progression to be within HRS, saying they do not believe that HRS is able to meet their career aspirations. This relates to the Taskforce findings of a lack of training opportunities and career development plans.